

## PRELIMINARY CERTIFICATE OF TITLE

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DATE: February 27, 2003

EXAMINED: February 25, 2003, @ 8:00 a.m.

FILE NO: 24899

RTV: Kenneth Lamar Moon

PURCHASER:

LENDER: LOAN AMOUNT:

ADDRESS: 5710 Powell Drive, Mableton, GA

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After careful examination of the records of the hereinafter stated County and State, as properly indexed, the undersigned does hereby certify to Lenders Advantage that good and merchantable fee simple title to the real estate described in Schedule "A" hereof, subject to the exceptions, objections, and liens set forth in Schedule "B" hereof, vests in:

Kenneth Lamar Moon

by virtue of that certain Warranty Deed recorded in Deed Book 4835, Page 294, Cobb County, Georgia Records.

### SCHEDULE A

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE FOR A COMPLETE LEGAL DESCRIPTION.

### SCHEDULE B

#### 1. MORTGAGES, DEED TO SECURE DEBT, AND OTHER VENDORS LIENS:

- A) Deed to Secure Debt from Kenneth Lamar Moon to Community Bank and Trust Company, dated March 1, 1988, filed for record March 7, 1988, recorded in Deed Book 4835, Page 298, Cobb County, Georgia Records, in the original principal amount of \$129,482.00; Modification Agreement to Deed to Secure Debt and Security Agreement, filed for record February 5, 1992, recorded in Deed Book \_\_\_\_, Page \_\_\_\_, aforesaid records, to extend the Maturity date to March 5, 2003; being further modified by Modification Agreement to Deed to Secure Debt and Security Agreement, dated May 17, 2000, filed for record May 24, 2000, recorded in Deed Book 13264, Page 5769, aforesaid records, to extend the Maturity Date to June 5, 2003.



- B) Security Deed from Kenneth Lamar Moon to Franklin D. Wyatt, Travis Duke, Truman Travis, R. Lee Thompson and Robert Fitzgerald, dated March 1, 1988, filed for record March 7, 1988, recorded in Deed Book 4835, Page 295, aforesaid records, in the original principal amount of \$15,000.00.
- C) Notice of Federal Tax Lien against Kenneth L. Moon, dated July 25, 2002, filed for record July 30, 2002, recorded in FTL Book 121, Page 1936, aforesaid records, in the original amount of \$ 30,271.68.
- D) Notice of Federal Tax Lien against Kenneth L. Moon, dated July 25, 2002, filed for record July 30, 2002, recorded in FTL Book 121, Page 1935, aforesaid records, in the original amount of \$ 12,110.46.
- E) Notice of Federal Tax Lien against Kenneth L. Moon, dated July 10, 2001, filed for record July 30, 2001, recorded in FTL Book 120, Page 107, aforesaid records, in the original amount of \$ 77,017.04.

#### TAXES AND SPECIAL ASSESSMENTS:

- A) Please see attached tax report. No certification is given for outstanding taxes. For informational purposes only.

Note: 2002 state and county taxes due in the amount of \$1,625.11, through March 15, 2003. Map Reference No. 18-34-34.

#### OTHER LIENS, OBJECTIONS AND DEFECTS.

- A) Rights of parties in possession, if any, other than the owner.
- B) The exact location of boundary lines, unrecorded easements, possible encroachments and other facts or conditions which would be disclosed by an accurate survey and inspection of property, unpaid utility bills and assessments, possible liens of architects, laborers or materialmen for improvement of the property, not filed for record at the effective date hereof, and rights, if any, of persons who may be in possession under claims not appearing of record; and Federal bankruptcy proceedings.
- C) Restrictions, easements and all questions arising out of zoning laws, ordinances or regulations.
- D) Other Objections and Defects: Other liens of record and any objections or defects not disclosed herein that are shown of record but are not shown during the effective dates herein. (If title is in any way based on tax title deed, foreclosure, or final decree, set out facts fully in separate letter to General Agent or Home Office for ruling.)



E) Subject to all easements and restrictions of record.

**THIS TITLE REPORT IS CERTIFIED FROM March 7, 1988, AT 10:58 A.M.,  
THROUGH January 31, 2003, AT 8:00 A.M.**

  
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STEVEN B. SARKIN, ATTORNEY AT LAW  
AUGUSTA TITLE, INC.

This Certification contains an electronic signature which assures the same force and effect as an original signature. Authentication of said signature may be obtained upon request.

Augusta Title, Inc. provides this title report in Certificate format, however, does not make any guarantee regarding scrivener's errors or errors in the county records and all parties are strongly urged to thoroughly review the documents provided and the legal descriptions for accuracy.



**EXHIBIT "A"**

BEGINNING at an iron pin on the Westerly Right-of-Way of Powell Drive (a 50 foot Right-of-Way), which iron pin is located 315.01 feet Southerly from the intersection formed by the Westerly Right-of-Way of Powell Drive and the Southerly Right-of-Way of Bankhead Highway (a/k/a U.S. Highway 78), as measured along the Westerly Right-of-Way of Powell Drive; running thence South 04 degrees 05 minutes 41 seconds West along the Westerly Right-of-Way of Powell Drive a distance of 100.36 feet to an iron pin; running thence North 87 degrees 07 minutes 23 seconds West a distance of 208.2 feet to an iron pin; running thence North 06 degrees 04 minutes 42 seconds East a distance of 100.10 feet to a 2 inch iron pipe; running thence South 87 degrees 14 minutes 00 seconds East a distance of 204.56 feet to an iron pin, returning to the POINT OF BEGINNING, being that parcel of land as shown upon that plat of survey for Kenneth Moon property, dated March 1, 1988, prepared by Paul E. Lee, Georgia Registered Surveyor No. 1715.